PAY EQUITY

91-03698/

The Honourable Marion L. Reid
Lieutenant Governor of the
Province of Prince Edward Island

May It Please Your Honour:

I have the honour to submit the third report of the Pay Equity Bureau for the operating period October 1, 1989 to March 31, 1990.

I have the honour to be, Madam,

Your Obedient Servant,

Roberta Hubley
Minister of Labour

March 31, 1990.

To The Honourable Roberta Hubley
Minister of Labour
Province of Prince Edward Island
Charlottetown, PEI

Madam;

It is with distinct privilege that I submit to you the third report of the Pay Equity Bureau for the six month operating period of October 1, 1989 to March 31, 1990.

Respectfully,

Faye Martin-Birt

Faye Martin-Birt
Commissioner of Pay Equity

PAY EQUITY BUREAU

A Report Covering the Period October 1, 1989 to March 31, 1990.

Faye Martin Birt
Commissioner of Pay Equity

PAY EQUITY ACT

Implementation Stages of Pay Equity

CIVIL SERVICE

Date of Proclamation of the Pay Equity Act	Section 14 (1)(a)(i)(ii)	Section 14 (1)(a)(i)(ii)	Sec. 14 2)(a)(b	Sec. 14(3) & Sec 10 →
3 Months	9 Months	12 Months	3 Months	1-2-3-4-5 Years →
	STAGE I	STAGE II	STAGE III	STAGE IV *

PUBLIC SECTOR EMPLOYEES OUTSIDE THE CIVIL SERVICE

	Section 14 (1)(a)(i)(ii)	Section 14 (1)(b)(c)(i)(ii)	Sec. 14(2) (a)(b)	Section 14(3) & Section 10 →
15 Months	9 Months	12 Months	3 Months	1-2-3-4-5 Years →
	STAGE I	STAGE II	STAGE III	STAGE IV *

* NOTE: The number of years it takes to achieve Pay Equity is determined via the negotiating process and is impacted upon by Section 10.

BACKGROUND

The Pay Equity Act was proclaimed on October 1, 1988. Its stated objective is to "achieve pay equity by redressing systemic gender discrimination in wages paid for work performed by employees in female-dominated classes and to maintain pay equity in the public sector". The Act established a four-stage process and a timetable for the implementation of pay equity. Public sector employers covered by the Act are required to systematically evaluate and compare jobs predominantly performed by women to jobs predominantly performed by men in terms of relative wages and the relative value of the work performed. This process is to be conducted jointly with recognized bargaining agents and representatives of employees who are excluded from the recognized bargaining units. If gender based discrimination is revealed in the organization's wage-setting practices, wage adjustments are applied to eliminate this bias. The Act also requires employers to maintain pay equity once it has been achieved.

THE PAY EQUITY BUREAU

The Pay Equity Act designates the Pay Equity Bureau as the agency responsible for administering the Act and sets out a number of educational, assisting, monitoring, regulatory and reporting duties to be performed by the Bureau. These include:

- providing information to any person concerned with pay equity;
- providing assistance to public sector employers, employees and the appropriate bargaining agents in the implementation of pay equity;
- preparing and disseminating educational material relating to pay equity;
- monitoring the progress of public sector employers in the implementation of pay equity;
- initiating and overseeing pay equity negotiations required to be undertaken by the public sector employer and the appropriate bargaining agents;

- reporting to the Minister of Labour, at least every six months, on the progress in pay equity implementation;
- preparing and maintaining statistics relating to pay equity;
- receiving and processing complaints regarding failure to comply with the Act;
- performing such other duties as the Minister may determine.

The Commissioner of Pay Equity, as chief administrator of the Bureau, is responsible for ensuring compliance with the Act. In order for the Bureau to carry out its functions, the Commissioner and the pay equity officers may summon witnesses, require the production of documents, administer oaths, have access to places of employment and issue orders and directions when necessary.

The Pay Equity Bureau staff, appointed under the Civil Service Act, consists of four full-time positions:

Commissioner of Pay Equity - Faye Martin Birt
Pay Equity Officer - Glenda Rodd
Pay Equity Officer - Frances Pierce y
Secretary - Dawn Cahill

The Pay Equity Bureau sees the primary objective of pay equity legislation in Prince Edward Island as enabling pay equity to be achieved expeditiously and fairly to all parties concerned. The Pay Equity Act is structured to enable public and broader public sector employers and employee representatives to achieve pay equity through a process of negotiations focused upon problem solving and consensus building. The thrust of administering the process will therefore remain, wherever possible, in the hands of the parties themselves. The Bureau will respond to requests for technical advice and guidance where it is appropriately within its mandate to do so.

The Bureau continues to affirm the Pay Equity Act as remedial anti-discrimination legislation and, as such, the Commissioner of Pay Equity will interpret and apply its provisions broadly to give effect to the implementation, achievement and maintenance of pay equity in the public and broader public sectors of Prince Edward Island.

PROGRESS REPORT - PAY EQUITY

Government and Crown Agencies

During the period from October 1, 1989 to March 31, 1990, the Pay Equity Bureau continued to monitor the progress of pay equity implementation in the four public sector establishments which began the process on January 1, 1989:

- The Government of Prince Edward Island (departments, boards and agencies within the civil service);
- Georgetown Shipyard Inc;
- The Prince Edward Island Grain Elevators Corporation;
- The Prince Edward Island Development Agency.

As stated in the previous report (September 30, 1989), each of these employers, together with the appropriate bargaining agents and/or employee representatives, completed the tasks required for Stage I of the pay equity process. These were: (1) the selection of a job evaluation plan or system to be used in evaluating the work performed in female-dominant (60%) and male-dominant (60%) job classes and (2) the identification of the gender-dominant classes to be evaluated. In accordance with the Pay Equity Act, agreements on the above matters were filed with the Commissioner of Pay Equity at the end of Stage I, September 30, 1989. In the case of one of these agreements further meetings and correspondence with the Pay Equity Bureau were required so as to ascertain that the job classes identified by the parties met the requirements of the Act. This process resulted in an amendment to the original agreement which was subsequently filed with the Pay Equity Bureau.

The second stage of pay equity implementation, twelve months in duration, began on October 1, 1989 for the Government and crown agencies listed above. During Stage II the parties are required to:

- apply the job evaluation plan agreed upon in Stage I and determine the relative value of the work performed by the gender dominant classes;

- identify and agree on the inequities between male-dominated and female-dominated classes of equal or comparable value and determine the total amount of pay equity adjustments to be made;

- agree on the share of the total pay equity adjustments to be allocated to each employee group represented in the negotiations.

There were varying approaches to the task of job evaluation in the four establishments. In the Civil Service and in one crown agency joint committees, with representatives from management and employee groups, applied the job evaluation plan to representative jobs from each class. Ongoing assistance was provided by the consulting firm from which the plan was purchased. The joint committee in another crown agency, which had selected the same job evaluation plan as the civil service committee, agreed to have that committee evaluate their representative jobs. In the remaining crown agency it was agreed that the consultant would do all of the required job evaluations, subject to approval of the results by the joint committee. A pay equity officer from the Bureau observed (but did not actively participate in) the evaluation process being conducted by the respective committees. The job evaluations were either completed or well under way by March 31, 1990 in three of the four establishments. In the fourth agency, where the evaluations were to be done by the consultant, no difficulty was anticipated at that time, with six months remaining in Stage II.

The remaining tasks, identification of inequities and calculation of pay equity wage adjustments, are to be completed by September 30, 1990. Agreements from the parties must again be filed with the Bureau by that date.

Broader Public Sector

The "broader public sector" under the jurisdiction of the Pay Equity Act consists of the following employers:

- The University of Prince Edward Island;
- Holland College;
- general hospitals and P.E.I. School of Nursing;
- regional school boards;
- county addiction services organizations;
- licensed, non-government nursing homes;
- Charlottetown Area Development Corporation;
- Summerside Waterfront Development Corporation.

Three groups of these employers - the hospitals, school boards and county addiction services - each conduct collective bargaining on a province-wide basis. The Act specifies that such groups are to be treated as one establishment for pay equity negotiations. Therefore, the number of pay equity processes in the broader public sector is sixteen.

These broader public sector employers were required by the Act to begin Stage I of the pay equity process on January 1, 1990. All employers, unions and employee associations were contacted by the Bureau prior to September 30, 1989, and in consultation, training sessions were developed and scheduled. Training took place from October through December 1989, with most groups attending two half-day or full-day sessions. Supplementary training sessions were offered in January 1990 for those persons/groups requesting them. During the reporting period, the following organizations or groups were provided with training or general information sessions from the Pay Equity Bureau:

· Health Negotiation Agency	· representing the General Hospitals, P.E.I. School of Nursing and the Government of P.E.I.
· Education Negotiation Agency	· representing the Regional School Boards and the Government of P.E.I.
· University of Prince Edward Island	· representatives from Administrative Staff
· Holland College	· representatives from Administration, Faculty Association, Union of Public Sector Employees Unit 13E and 13W and Non-Union Employee Representatives.
· Addiction Services Organizations	· Addiction Services Office, Prince County Addiction Services, Queens County Addiction Services, Kings County Addiction Services
· Charlottetown Area Development Corporation	· representatives from Management and Employees

• Summerside Waterfront Development Corporation	• representatives from Management and Employees
• P.E.I. Long Term Care Association	• representatives from the following licensed nursing homes: Atlantic Baptist Home, Dr. John Gillis Memorial Lodge, Garden Home, Lennox Nursing Home, MacMillan Lodge, Perrin's Clinton View Lodge, Sacred Heart Home, Sunset Lodge, Whisperwood Villa.
• P.E.I. Teachers' Federation	
• U.P.E.I. Faculty Association	
• Canadian Union of Public Employees	• Locals 501, 805, 1051, 1145, 1466, 1588, 1770, 1775, 1778, 1779, 1865, 1870, 2523 and 3260
• International Union of Operating Engineers	• Local 942
• International Brotherhood of Electrical Workers	• Local 1432, Unit 5
• Union of Public Sector Employees	• Units 4, 7, 13 East, 13 West and 25
• P.E.I. Nurses Union	• Locals representing each of the General Hospitals and County Addiction Services

Training sessions were also offered to non-unionized employee representatives as these individuals were identified. The Bureau staff also gave presentations to whole employee groups on request.

By March 31, 1990, the larger establishments and some smaller ones in the broader public sector had formed joint management-employee committees and had begun negotiating the agreements required for Stage I. A pay equity officer was assigned to each establishment to oversee negotiations and monitor progress. This involved attendance at approximately 30 meetings in the broader public sector in addition to overseeing the job evaluation process in the civil service and crown agencies. The pay equity committees in the broader public sector must complete the Stage I agreements by September 30, 1990.

EDUCATIONAL ACTIVITIES

As indicated above, the Pay Equity Bureau conducted extensive training for the parties required to negotiate the pay equity process. This is in keeping with the Bureau's mandate to provide information and assistance, to disseminate educational materials and to initiate pay equity negotiations. Approximately twenty-five formal training seminars were provided to groups in the broader public sector during the reporting period, the majority of which were one-half or full day sessions. The Bureau staff also conducted educational sessions for organizations outside the PEI public sector: the City of Moncton and the Canadian Public Personnel Management Association.

Information materials on pay equity, produced by the Bureau, were distributed to all individuals involved in pay equity implementation. These include a series of seven pamphlets and a booklet outlining the requirements of the legislation. Bureau publications were also distributed to members of the public on request. The Bureau also deals with requests for information regarding pay equity by correspondence or by telephone on an ongoing basis. Present time constraints have not permitted the Bureau to develop an extensive educational program to the general public.

CONCLUSION

This third report of the Pay Equity Bureau to the Minister of Labour covers a busy period of pay equity activity in the Prince Edward Island public sector. The parties continue to show willingness to comply with the legislation as well as a strong commitment to a high quality process in their establishments and to the objective of the Pay Equity Act - the elimination of gender-based wage discrimination in public sector work places.